IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CWP No. 16283 of 2006

Date of Decision : 13.10.2006

Sarabjit Kaur ..Petitioner

Versus

State of Punjab and others. ..Respondents

Coram : Hon'ble Mr. Justice J.S. Khehar,
Hon'ble Mr. Justice S.D. Anand.

Present : Mr. V.K. Sharma, Advocate,
for the petitioner.

J.S. Khehar, J. (Oral)

The claim of the petitioner for appointment on compassionate grounds, on account of death of her husband – Joginder Singh in harness on 22.3.2002, has been declined through the impugned order dated 20.7.2006 (Annexure P/10) on account of the fact that the petitioner's husband had only been engaged on daily wage basis, and that, appointment on compassionate grounds is not permissible under the ex-gratia scheme to wards kith and kin of such employees who had died in harness.

In view of the aforesaid predicament indicated in the impugned order dated 20.7.2006, the petitioner's claim for regularization of her husband in service has to be the first step before the petitioner's claim of appointment on compassionate grounds can be considered.

It is not necessary for us to deal with the issue of regularization of the petitioner's husband in service, on account of the fact, that even if the same was to be accepted, as of now, the petitioner has no right for

appointment on compassionate grounds, as her husband died more than 4-1/2 years before filing of the instant writ petition. Appointment on compassionate grounds is meant to tide over, extreme financial hardship, arising immediately after the sudden death of an employee in harness, wherein survival itself becomes a matter of serious concern. Certainly not in a case like the one in hand after many years of the death of the employee.

Dismissed.

(J.S. Khehar)
Judge

October 13, 2006
vkd

(S.D. Anand)
Judge